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VIA ECF

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May 4, 2022

Honorable Katharine H. Parker
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Conference on 5/31/22 converted to discovery conference to discuss issue about protective orders.

APPLICATION GRANTED

Hon. Katharine H. Parker, U.S.M.J. 5/5/2022

Re: Request for Pre-Motion Conference in Civil No. 1:21-cv-09472-JGK

Dear Magistrate Judge Parker:

We represent Plaintiff Signify Holding B.V. ("Signify") in the above-captioned action.

We write in connection with the Initial Case Management Conference Order issued by Your Honor on May 3, 2022 (ECF No. 33), which followed Judge Koeltl's issuance of the Order of Reference issued on May 3, 2022 (ECF No. 32) ordering that the case be assigned to Your Honor for General Pretrial (including scheduling, discovery, non-dispositive pretrial motions, and settlement).

Respectfully, we note Judge Koeltl had previously issued an Order on January 11, 2022 directing the parties to submit a Rule 26(f) report (ECF No. 16).

On January 28, 2022, the parties submitted a Rule 26(f) report (ECF No. 20) setting forth the parties' agreement on a case schedule.

On January 31, 2022, the Court issued a Memo Endorsement (ECF No. 21) setting forth the following deadlines in the case:

- Amended Pleadings due by 7/1/2022,
- Joinder of Parties due by 7/1/2022,
- Fact Discovery due by 8/31/2022,
- Expert Discovery due by 10/14/2022,
- Motions due by 10/28/2022, and
- Joint Pre-Trial Order due 11/18/2022, or 21 days after decision of any dispositive motion

Accordingly, as there is already a schedule in place in the case and the parties have been proceeding with discovery, Signify respectfully submits that the parties have already complied with their obligations under Rule 26(f) and that there is no need for an Initial Case Management Conference in view of the Court-endorsed case schedule.

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Respectfully, there is one discovery matter that warrants the Court's attention. Namely, on April 27, 2022, Signify submitted a Letter Motion (ECF No. 29) requesting a pre-motion conference regarding a dispute over a proposed protective order to govern confidentiality of documents and information in this case. On April 29, 2022, Defendants submitted a Response to the Letter Motion (ECF No. 30).

Accordingly, Signify respectfully requests that: (1) the Court set a time for a pre-motion conference regarding the parties' dispute over a proposed protective order to govern confidentiality of documents and information in this case; and (2) withdraw the Initial Case Management Conference Order issued on May 3, 2022 (ECF No. 33) as moot and adjourn the Initial Case Management Conference currently set for May 31, 2022.

Respectfully submitted,

s/ Jeremy P. Oczek
Jeremy P. Oczek

Counsel for Plaintiff Signify Holding B.V.

cc: Counsel of Record (via ECF)